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IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CRB

UNITED STATES OF AMERICA and
VIRGILIO B. SANTOS, Revenue Officer,

Petitioners,

v.

ROY E. MULLER, as President of BGB
Incorporated,

Respondent.

C NO. **05** **5263**

**ORDER TO SHOW CAUSE RE
ENFORCEMENT OF INTERNAL
REVENUE SERVICE SUMMONSES**

Good cause having been shown by the petitioner upon its petition filed in the above-entitled proceeding on December 20, 2005, it is hereby:

ORDERED that respondent Roy E. Muller, as President of BGB Incorporated appear before this Court on the 17th day of Feb., 2006, at 10:00 a. in Courtroom No. 8, 19th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California, and then and there show cause, if any, why he should not be compelled to appear and provide documents and testimony as required by the summonses heretofore served upon her as alleged and set forth in particular in said petition; and it is further

ORDERED that a copy of this Order to Show Cause, together with a copy of the aforesaid petition, be served upon said respondents in accordance with Rule 4 of the Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of this Order above specified; and it is further

1 **ORDERED** that within twenty-one (21) days before the return date of this Order,
2 respondents may file and serve a written response to the petition, supported by appropriate
3 affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion he
4 desires to make, that the petitioner may file and serve a written reply to such response, if any,
5 within fourteen (14) days before the return date of this Order; that all motions and issues raised
6 by the pleadings will be considered on the return date of this Order, and only those issues raised
7 by motion or brought into controversy by the responsive pleadings and supported by affidavit(s)
8 or declaration(s) will be considered at the return of this Order, and any uncontested allegation in
9 the petition will be considered admitted.

10 **ORDERED** this 3rd day of January, 2006, at San Francisco,
11 California.

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UNITED STATES DISTRICT JUDGE